AO 440 (Rev. 06/12) Summons in a Civil Action

## United States District Court

for the

Western District of Texas

Arturo Cardona	)	
Plaintiff(s) V.	) )	
Rio Construction, Inc.  Defendant(s)	Civil Action	1:24-ev-1504-DII
	) ) )	

#### **SUMMONS IN A CIVIL ACTION**

To: (Defendant's name and address)

Defendant Jerry Bishop 2203 Innovation Blvd Hutto Texas 78634 Or wherever else he may be found.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Douglas B. Welmaker Welmaker Law PLLC 409 N. Fredonia, Suite 118 Longview, Texas 75601

# Proof of Service Attached

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

D .	01/15/2025	September 19 19 19 19 19 19 19 19 19 19 19 19 19	
Date:		THE PARTY OF THE P	

Philip J. Devlin

CLERK OF COURT

Signature of Clerk or Deputy Clerk

### **UNITED STATES DISTRICT COURT** for the Western District of Texas

Arturo Cardona, **Plaintiff** Civil Action No. 1:24-cv-1504-DII §

VS.

88 Rio Construction, Inc., et al, Defendants PROOF OF SERVICE AFFIDAVIT

Before me, the undersigned authority, personally appeared Tod E. Pendergrass, to me well known, after being duly sworn, did depose and say:

"My name is Tod E. Pendergrass. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. My address is 516 West Annie, Austin, Texas 78704, United States of America. Pursuant to Texas Government Code Section 156.001.(2), I am certified as a process server by the Judicial Branch Certification Commission under Order of the Texas Supreme Court to serve process; certification no. PSC1660, exp. 11/30/2025.

Came to hand on January 15, 2025, at 2:37 p.m. Summons in a Civil Action with Plaintiff's Original Complaint for service on Defendant Jerry Bishop.

Executed on January 22, 2025, at 12:45 p.m., by delivering to Defendant Jerry Bishop via U.S.P.S. certified mail, return receipt requested, at 2203 Innovation Blvd., Hutto, Texas 78634. (Return receipt attached as Exhibit 1.)

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service and Statement of Service Fees is true and correct."

Printed Name: Tod E. Pendergrass

Re: Welmaker/5010-B Service Fee \$ 92.00

Signature of non-party adult DRLS, 516 W. Annie Street

Austin, Texas 78704

### STATE OF TEXAS

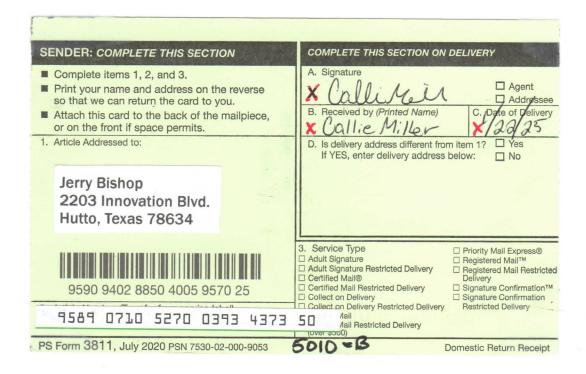
Before me, a notary public, on this day personally appeared the above-named person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements/facts therein contained are within his/her personal knowledge to be true and correct. Given under my hand and seal of office on January 28, 2025.

STAR SALAZAR lotary Public, State of Texas Comm. Expires 04/27/2027 Notary ID 187334

IC in and for the State of TEXAS

[Form pursuant to FRCP 4(I)(1)]

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**EXHIBIT 1**